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CYBERTEL, INC. 1

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Declaration

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our name.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **MESSAGE SYNCHRONIZATION IN A COMMUNICATIONS SYSTEM** U.S. Serial No. 09/824,830 filed April 3, 2001.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

We acknowledge the duty to disclose all information known to us which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

None.

We hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Provisional Application No. 60/229,678 filed September 1, 2000.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

BEST AVAILABLE COPY

Please address all correspondence regarding this application to Customer No. 26345.

Intellectual Property Docket Administrator
Gibbons, Del Deo, Dolan, Griffinger & Vecchione
One Riverfront Plaza
Newark, New Jersey 07105-5497

Telephone calls should be made to Donlad J. Cox, Jr. at Gibbons, Del Deo, Dolan, Griffinger & Vecchione at:

Phone No.: 973-596-4500 or 973-596-4837

Fax No.: 973-596-0545

Full name of 1st joint inventor: **Jonathan Chu**

Inventor's Signature: 

Date: 7/19/01

Residence: **Marlboro, Monmouth County, New Jersey**

Citizenship: **USA**

Post Office Address: **66 Cannonade Drive**
Marlboro, New Jersey 07756

Full name of 2nd joint inventor: **Franco Yuvienco**

Inventor's Signature: _____

Date: _____

Residence: **New York, Borough of Manhattan, New York**

Citizenship: **USA**

Post Office Address: **400 Chambers Street Apt. #15F**
New York, New York 10282



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Declaration

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Phone No.: 973-596-4500 or 973-596-4837

Fax No.: 973-596-0545

Full name of 1st joint inventor: **Jonathan Chu**

Inventor's Signature: _____

Date: _____

Residence: Marlboro, Monmouth County, New Jersey

Citizenship: USA

Post Office Address: 66 Cannonade Drive
Marlboro, New Jersey 07756

Full name of 2nd joint inventor: **Franco Yuvienco**

Inventor's Signature:  _____

Date: July 20, 2001

Residence: New York, Borough of Manhattan, New York

Citizenship: USA

Post Office Address: 400 Chambers Street Apt. #15F
New York, New York 10282

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Practitioner's Docket No. CyberTel, Inc. 1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **J. Chu et al.**

Application No.: **09/824,830**

Group No.: **2661**

Filed: **April 3, 2001**

Examiner: **TBA**

For: **Message Synchronization In A Communications System**

Patent No*:

*NOTE: Insert name(s) of inventor(s) and title also for patent.

**Assistant Commissioner for Patents
Washington, D.C. 20231**

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

As assignee of record of the entire interest of the above identified

X application

— patent,

We hereby appoint as my attorney or agents the registered persons identified under

CUSTOMER No. 26345

for the law firm of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, said attorney s or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected herewith.



SEND CORRESPONDENCE TO:

Intellectual Property Docket Administrator
Gibbons, Del Deo, Dolan, Griffinger &
Vecchione
1 Riverfront Plaza
Newark, NJ 07102-5497

DIRECT TELEPHONE CALLS TO:

Donald J. Cox

973-596-4853 09/835,095

Customer No.: **26345**

CyberTel Inc.

(type or print identity of assignee of entire
interest)

1 Arin Park 1715 Route 35 North
Address

Middletown, NJ 07748

ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

Eric C. Rose
Signature

Date 7/6/01

Eric Rose
Name of Person authorized to sign on behalf of
the assignee

EVP & GENERAL COUNSEL
Title

NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. § 1.36

8-14-01 04CO



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: CyberTel Inc.

Application No./Patent No.: 09/824,830 Filed/Issue Date: April 3, 2001

Entitled: Message Synchronization In A Communications System

CyberTel Inc. a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- 1. ☒ the assignee of the entire right, title, and interest; or
- 2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- 1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
- 2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
- 3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

7/6/01
Date

Eric C. Rose
Signature
ERIC C. ROSE
Typed or printed name
V.P. & GENERAL COUNSEL
Title

ASSIGNMENT AND AGREEMENT

For value received, we, **Jonathan Chu** of Marlboro, in the County of Monmouth and the State of New Jersey, and **Franco Yuvienco**, of the City of New York, in the Borough of Manhattan and the State of New York, hereby sell, assign and transfer to **CyberTel, Inc.**, a corporation of the State of California, having an office at 1 Arin Park, 1715 Route 35 North, Suite 301, Middletown, New Jersey, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to **MESSAGE SYNCHRONIZATION IN A COMMUNICATIONS SYSTEM U.S.** Serial No. 09/824,830 filed April 3, 2001, described in an application Letters Patents of the United States, executed by us, and all of the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to **CyberTel, Inc.** the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

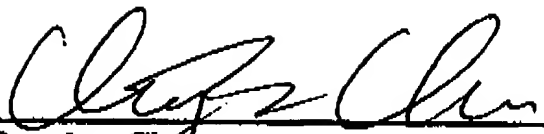
We authorize **CyberTel, Inc.** to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of **CyberTel, Inc.** to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to **CyberTel, Inc.** in the United States and to **CyberTel, Inc.** in all countries foreign to the United States, or to such nominees as they may designate.

We agree that, when requested, we shall, without charge to **CyberTel, Inc.** but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents or other forms of protection.

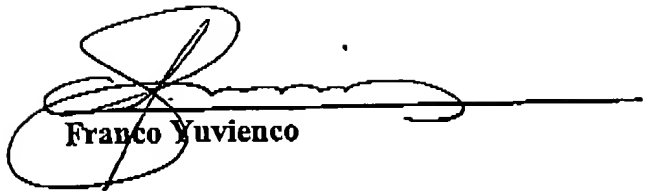
CyberTel, Inc. 1



Jonathan Chu

Date: 7/19/01

CyberTel, Inc. 1



Franco Yuvienco

Date: July 20, 2001